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9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA

12 AZAAM REISOLHAGH,

13 Plaintiff,

14 v.

15 JO ANNE B. BARNHART,
Commissioner of
16 Social Security,

17 Defendant.

CASE NO. **2:05-CV-00765-GGH**

STIPULATION AND ORDER
REMANDING THE CASE TO THE
COMMISSIONER OF SOCIAL
SECURITY AND DIRECTING THE
CLERK TO ENTER JUDGMENT

18 IT IS HEREBY STIPULATED by the parties, through their
19 undersigned attorneys, and with the approval of the Court as
20 provided below, that the Commissioner has agreed to a voluntary
21 remand of this case pursuant to sentence four of 42 U.S.C. §
22 405(g) for further proceedings. The purpose of the remand will
23 be to afford Plaintiff a new hearing and decision.

24 On remand, the ALJ will evaluate Plaintiff's mental
25 limitations in light of the four broad areas of functioning
26 specified in 20 C.F.R. § 416.920a (2005), and will re-evaluate

Plaintiff's residual functional capacity in light of those limitations, and the complete record. As appropriate, the Commissioner shall further develop the record as necessary to issue a new decision.

It is further stipulated that the decision below is hereby vacated and that the Clerk of this Court shall be directed to enter a separate judgment herein, as provided for under Rules 58 and 79(a) of the Federal Rules of Civil Procedure, pursuant to Shalala v. Schaefer, 509 U.S. 292, 113 S. Ct. 2625 (1993).

The parties further stipulate that Plaintiff's counsel shall return a facsimile of this stipulation bearing his signature for retention by Defendant's counsel, and that Defendant shall e-file this stipulation pursuant to applicable local rules.

DATED: June 23, 2006

/s/ Jesse S. Kaplan

JESSE S. KAPLAN

Attorney at Law

Attorney for Plaintiff

DATED: June 23, 2006

McGREGOR W. SCOTT

United States Attorney

BOBBIE J. MONTOYA

Assistant U. S. Attorney

By: /s/ Bobbie J. Montoya for

PETER THOMPSON

Special Assistant U. S. Attorney

Attorneys for Defendant

OF COUNSEL:

LUCILLE GONZALES MEIS

Chief Counsel, Region IX

U.S. Social Security Administration

ORDER

This matter is remanded pursuant to the stipulation of the parties. The case is dismissed and the Clerk is directed to enter Judgment.

SO ORDERED.

DATED: 6/28/06

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

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